



12-04-03
AP-1615

PTO/SB/30 (5/2000)

Approved for use through XX/XX/XXXX. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EV335857914US
Application Number	09/924,222
Filing Date	August 7, 2001
First Named Inventor	Rodrigueza et al.
Group Art Unit	1615
Examiner Name	Gollamudi S. Kishore
Attorney Docket No.	10173-073

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 385.00
- ii. ☒ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ 475.00 for a 3 month extension, the request for which is being made herewith
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Anthony M. Insogna	Registration No. (Attorney/Agent)	35,203
Signature	Anthony M. Insogna Reg. No. 35,203	Date	December 3, 2003

Reg. Brian C. Perry Reg. No. 28,176

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703-_____ to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450.

12/08/2003 AWONDAF1 00000096 161150 09924222

01 FC:2801 385.00 DA

NY2: 1484355.1

RECEIVED
DEC 09 2003
TECH CENTER 1600/2900



Express Mail No.: EV335857914US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rodriguez et al.

Confirmation No.: 3425

Application No.: 09/924,222

Group Art Unit: 1615

Filed: August 7, 2001

Examiner: Gollamudi S. Kishore

For: LIPOSOMAL COMPOSITIONS AND METHODS
OF USING LIPOSOMAL COMPOSITIONS TO TREAT
DISLIPIDEMIAS

Attorney Docket No.: 10173-073

**AMENDMENT UNDER 37 C.F.R. §1.111 AND REQUEST
FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed June 3, 2003 the Applicant requests continued examination under 37 C.F.R. § 1.114 and entry of this Amendment under 37 C.F.R. § 1.111. Please enter the following amendments into the file of the above-identified application and consider the remarks below. Applicant submits herewith: (1) a Request For Continued Examination Transmittal (in duplicate), accompanied by the appropriate provision authorizing payment of the required fee; (2) a Terminal Disclaimer, (3) a Terminal Disclaimer Transmittal (in duplicate) accompanied by the appropriate provision authorizing payment of the required fee; (4) a copy of the "Decision Granting Status Under 37 CFR 1.47(a)" and (5) a Petition For Extension of Time (in duplicate) accompanied by the appropriate provision authorizing payment of the required fee.